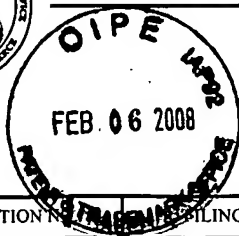




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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/511,058

05/02/2005

Klaus Obendick

487.1094

2260

23280 7590 01/30/2008
Davidson, Davidson & Kappel, LLC
485 17th Avenue
14th Floor
New York, NY 10018

EXAMINER

HERNANDEZ, MICHAEL

ART UNIT

PAPER NUMBER

3612

MAIL DATE

DELIVERY MODE

01/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental
Notice of Allowability**

Application No.

10/511,058

Examiner

MIKE HERNANDEZ

Applicant(s)

OBENDIEK, KLAUS

Art Unit

3612

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments filed 10/22/07.
2. ☒ The allowed claim(s) is/are 38-54,56-63,66 and 69-77.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/22/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

SUPPLEMENTAL ACTION

This action is a supplemental action to make note that the references cited by the applicant in the PTO-1449, filed 22 October 2007, have been considered by the examiner.

Allowable Subject Matter

Claims 38 through 54, 56 through 63, 66, and 69 through 77 are allowed.

Upon allowance of generic claims 48 and 76, dependent claims 56 to 63, 66, and 69 to 71, previously withdrawn as being drawn to a non-elected species, are hereby rejoined.

The following is a statement of reasons for the indication of allowable subject matter: At this instant, the prior art of record fails to show or make obvious a first and second linkage connected to a mechanical control device, wherein a common force introduction unit drives the linkages to move the roof parts and the control device enables a delay of the second roof part relative to the first.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MIKE HERNANDEZ whose telephone number is (571)272-2354. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent

Application/Control Number:
10/511,058
Art Unit: 3612

Page 3

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJH

/Dennis H. Pedder/

Primary Examiner, Art Unit 3612

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

487.1094

APPLICATION NO

10/511,058

LIST OF PRIOR ART CITED BY APPLICANT

APPLICANT

Klaus OBENDIEK

FILING DATE

May 2, 2005

GROUP

3612

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
MH	A01	US 2001/0019213	Sept. 6, 2001	Eberle	296	108	
	A02	US 2001/0006297	July 5, 2001	Dintner et al.	296	107.17	
	A03	US 2003/0080579	May 1, 2003	Reinsch	296	107.17	
	A04	US 6,336,673	Jan. 8, 2002	Rothe et al.	296	107.17	
	A05	US 6,422,637	July 23, 2002	Mac Farland	296	107.15	
	A06	US 2003/0085587	May 8, 2003	Reinsch	296	107.17	
	A07	US 2004/0046417	Mar. 11, 2004	Guillez et al.	296	121	
	A08	US 6,799,789	Oct. 5, 2004	Guillez et al.	296	121	
	A09	US 2004/0051342	Mar. 18, 2004	Guillez et al.	296	108	
	A10	US 6,425,621	July 30, 2002	Miklosi et al.	296	108	
	A11	US 6,478,362	Nov. 12, 2002	Obendiek	296	108	
	A12	US 6,830,283	Dec. 14, 2004	Guillez et al.	296	108	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	A13	DE 299 24 266	Aug. 29, 2002	DE- Germany			See related US 6,478,362	
	A14	DE 196 42 153	April 16, 1998	DE- Germany			See English Abstract	
	A15	DE 100 39 680	Mar. 7, 2002	DE- Germany			See English Abstract	
	A16	DE 299 13 486	Dec. 14, 2000	DE- Germany			See US 6,336,673	
	A17	DE 198 46 006	April 13, 2000	DE- Germany			See English Abstract	
	A18	DE 196 42 152	April 16, 1994	DE- Germany			See English Abstract	
	A19	DE 43 16 485	Nov. 24, 1994	DE- Germany			See English Abstract	
	A20	EP 1 112 879	July 4, 2001	EP- Europe			See English Abstract and US 6,425,621	
	A21	EP 1 092 579	April 18, 2001	EP- Europe			See US 6,422,637	
	A22	EP 1 308 333	May 7, 2003	EP- Europe			See US 2003/0085587	
	A23	FR 2 819 757	July 26, 2002	FR- France			See English Translation of Abstract	
	A24	FR 2 820 692	Aug. 16, 2002	FR- France			See US 2004/0046417 and US 6,799,789	
✓	A25	WO 02/49864	June 27, 2002	WO- WIPO			See English Abstract and US 6,830,283	

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

A26	
EXAMINER	/Mike Hernandez/
DATE CONSIDERED	1/25/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TC 3600

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